

**BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY**

**ORDINANCE 2020-19**

**AN ORDINANCE SUPPLEMENTING THE BOROUGH’S REVISED GENERAL ORDINANCES WITH NEW CHAPTER 63: “LENGTH OF SERVICE AWARDS PROGRAM” TO PROVIDE INCENTIVES FOR RECRUITING AND RETAINING VOLUNTEER FIREFIGHTERS WITHIN THE BOROUGH**

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**Mayor Engelstad** offered the following Ordinance and moved its introduction:

**WHEREAS**, the Borough of Bradley Beach (the “Borough”) deems it appropriate and necessary to ensure retention of existing members and to provide incentives for recruiting new volunteer firefighters within the Borough; and

**WHEREAS**, the Borough has determined that the creation of a Length of Service Awards Program will enhance the ability of the Borough’s ability to recruit volunteer firefighters;

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, and State of New Jersey as follows:

**SECTION 1.** The Revised General Ordinances of the Borough of Bradley Beach are hereby supplemented with *new* Chapter 63, entitled “Length of Service Awards Program”, as follows:

**CHAPTER 63**

**LENGTH OF SERVICE AWARDS PROGRAM**

**§ 43-1 Purpose and Intent.**

The purpose of this chapter is to establish a Length of Service Awards Program for active volunteer members of the Bradley Beach Fire Department. The Length of Service Awards Program is designed to enhance the ability of the Borough to provide volunteer fire protection and to allow the Borough’s Fire Department to recruit and maintain membership.

**§ 43-2 Program Established.**

- A. There is hereby established, within the Borough, the Bradley Beach Fire Department Length of Service Awards Program (“LOSAP”) to reward members of the Bradley Beach Fire Department for their loyal, diligent and devoted services to the Borough’s residents. This Program shall apply only to those members who are residents of the Borough.

- B. However, any active volunteer member who, as of January 1, 2022, was otherwise eligible for participation in the LOSAP, but who did not reside within the territorial jurisdiction of the Borough, said member shall continue to be eligible to participate in the LOSAP program. Any active volunteer member who becomes so designated after January 1, 2022 and who does not reside within the Borough shall not be eligible for participation in the LOSAP. Any active volunteer member who establishes their permanent residence within the Borough shall be eligible to participate in the LOSAP from the date such residency is established within the Borough.

**§ 43-3 Annual Contribution.**

The LOSAP shall provide for the fixed annual contribution, to a tax-deferred income account, for each eligible volunteer member that satisfy the criteria set forth in this chapter, and enabling legislation and the U.S. Internal Revenue Code. This chapter shall apply prospectively only, commencing with the calendar year 2022.

**§ 43-4 Point Accumulation.**

The LOSAP shall provide for an annual contribution for each eligible volunteer member who accumulates a minimum of 60 points during a calendar year, pursuant to the point system set forth hereinbelow. Any participant who terminates service as an active volunteer shall cease to participate hereunder.

**§ 43-5 Future Service Contribution.**

The annual contribution amount for each year of future service, for each eligible volunteer member, shall be \$[xx INSERT CONTRIBUTION]. The estimated annual cost of this provision of the LOSAP program shall be based on [xx INSERT #] active volunteer members for a total cost of \$[xx INSERT COST].

**§ 43-6 Program Acceptance.**

The LOSAP shall only be deemed effective after approval and ratification by the voters of the Borough at the next general election to be held subsequent to the passage of the ordinance codified in this chapter. If this public question fails, the Ordinance codified in this chapter shall automatically terminate.

**§ 43-7 Increased Contribution.**

After ratification of the LOSAP, as provided for in this chapter, the maximum annual contribution may be increased, without public hearing or public question, provided such increased contributions do not exceed the number calculated by multiplying the original contribution as approved by public question, by the consumer price index factor. The consumer price index factor shall be established as set forth in N.J.S.A. 40A:14-155.

**§ 43-8 Point Schedule.**

Each active volunteer member, who is also a resident of the Borough, shall be credited with points for volunteer services provided to the Bradley Beach Fire Department in accordance with the point schedule set forth as follows:

- A. A year of active emergency service shall be credited under the plan for each plan year in which an active volunteer fire fighter of the Bradley Beach Fire Department accumulates at least 60 points. A year of active service will commence January 1 and end December 31 of each year. Points shall be granted in accordance with the following system. Such system shall provide that points shall be granted for the following activities and upon the approval of the plan administrator, who shall be the governing body unless and until designated otherwise by resolution. The fixed annual contribution to a deferred income account for each active or life member who successfully earns a minimum of 60 points shall be \$[xx INSERT CONTRIBUTION]. A volunteer must serve for five years before the benefits of participation in this length of service award program vest.
- B. Training courses: 20 points maximum; one point per every two hours attended, excluding travel time.
- C. Drills: 1 point per drill.
- D. Elected or appointed positions:
  - (1) Elected officers: 15 points.
  - (2) Appointed positions:
    - (a) Officer: 10 points.
    - (b) Committee chairperson: 5 points.
    - (c) Committee member: 4 points.
    - (d) Attendance at regular fire company meetings: 1 point per meeting.
    - (e) Participation in fire call responses: points for responding to a minimum number of calls is outlined below.

Percentage of Participation	Points Earned
60% or higher	40
50% to 59%	30
40% to 49%	25
30% to 39%	20
20% to 29%	15
1% to 19%	10

- (f) Fire company sanctioned events: two points.
- (g) Fund-raising events: one point for each day of participation; minimum of two hours of participation per day to qualify.
- (h) Life member: 25 points per year.
- (i) No less than 10 points must be earned from participation in fire call responses to be eligible for LOSAP.

**§ 43-9 Maximum Contribution.**

The maximum contribution for each active volunteer member shall be \$[xx INSERT CONTRIBUTION]. per year of active emergency service, subject to periodic consumer price index increases pursuant to N.J.S.A. 40A:14-185.

**§ 43-10 Filing of Ordinance.**

A copy of the ordinance codified in this chapter, once approved by the voters pursuant to the public question required by N.J.S.A. 40A:14-183 *et seq.*, shall be filed with the Division of Local Government Services within thirty (30) days of the date of the referendum.

**§ 43-11 Applicable Law.**

All provisions of the Emergency Services Volunteer Length of Service Award Program Act, N.J.S.A. 40A:14-183 *et seq.*, and regulations promulgated herewith, N.J.A.C. 5:30-14.1 *et seq.*, as well as any revisions, amendments or additions to the act of the regulations are incorporated by reference and made a part of this chapter.

SECTION 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions hereof shall be determined to govern. All other parts, portions and provisions of The Revised General Ordinances of the Borough of Bradley Beach are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. This Ordinance shall take effect upon adoption and publication in accordance with the laws of the State of New Jersey.

**SO ORDAINED** as aforesaid.

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ERICA KOSTYZ  
Municipal Clerk

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GARY ENGELSTAD  
Mayor

Introduced:

Date of Hearing and Adoption: